

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**STEVEN ALLEN DALTON, SR.,**

**Plaintiff,**

**v.**

**Case No. 05-C-0032**

**ROMAN KAPLAN, M.D.,  
TOM EDWARD,  
DR. BROWN, and  
DR. LORIE ADAMS,**

**Defendants.**

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**MEMORANDUM**

Plaintiff Steven Dalton, who is incarcerated at the Wisconsin Resource Center, filed this pro se civil rights action pursuant to 42 U.S.C. § 1983 on January 12, 2005. On June 17, 2005, I granted plaintiff's unopposed motion to dismiss his case without prejudice pursuant to Fed. R. Civ. P. 41(a)(2), and the Clerk of Court closed the case. On February 6, 2009, plaintiff wrote a brief note to the court, asking me to "write a writ of Haibius [sic] Corpus to let me free from W.R.C. & the D.O.C. time served no probation." Although this letter included the above case number and therefore was docketed in this § 1983 action, plaintiff appears to be trying to file a petition for a writ of habeas corpus.

Rule 2(c) of the Rules Governing § 2254 Cases states that a § 2254 habeas petition "must: 1) specify all grounds of relief available to the petitioner; 2) state the facts supporting each ground; 3) state the relief requested; 4) be printed, typewritten, or legibly handwritten; and 5) be signed under penalty of perjury by the petitioner . . . ." Plaintiff's February 6, 2009 letter fails to comply with three of the five requirements (1, 2, and 5). Thus, I will deny the

request plaintiff makes in his letter. However, I have enclosed a form petition for a writ of habeas corpus that plaintiff may fill out and file in a new case if he so chooses.

Dated at Milwaukee, Wisconsin this 23 day of February, 2009.

/s

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LYNN ADELMAN  
District Judge